

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

FILED

11/12/2019

Clerk, U.S. District Court
District of Montana
Helena Division

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIELAN BRETT FRANKLIN,
GERALD ALLEN HILER, *a/k/a Teg*,
ARIELLE ROSE COWSER, and
MORGAN VICTOR PITTSCH,

Defendants.

CR 19-06-H-SEH

ORDER

On November 12, 2019, at the time set for jury trial, Defendant Kielan Brett Franklin (“Franklin”) moved to continue the trial. Defendant Arielle Rose Cowser (“Cowser”) joined in the request. Defendants Franklin and Cowser filed a joint waiver¹ of “all time considerations under both the Speedy Trial Act and the Speedy Trial Clause in the Sixth Amendment”² The United States did not object to the request for continuance.

¹ See Doc. 120.

² Doc. 120 at 2.

Upon on the record made in open court on November 12, 2019, the Court has determined that a continuance of the trial is warranted.³ The ends of justice served by a continuance outweigh the interests of Defendants Franklin and Cowser and the public to a speedy trial. The failure to grant a continuance would deny Defendants Franklin and Cowser and their counsel the reasonable time necessary for effective investigation and preparation, taking into account the exercise of due diligence, and could deprive Defendants Franklin and Cowser of their opportunity to investigate and prepare the case for trial.

ORDERED:

1. The motion to continue trial is GRANTED.
2. The trial set for Defendants Franklin and Cowser on November 12, 2019, is VACATED to be reset by further order of Court. All time between the date of this Order and the new trial date is excluded from Defendants Franklin and Cowser's speedy trial calculations.⁴

³ 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

⁴ 18 U.S.C. § 3161(h)(7)(A).


FURTHER ORDERED:

The Court will conduct a conference with counsel and Defendants Franklin and Cowser on the record at 1:00 p.m. on November 14, 2019, at the Paul G. Hatfield Courthouse, Courtroom I, Helena, Montana, to address issues presented by the motions to continue the trial.

The clerk is directed forthwith to notify counsel and the United States Marshals Service of the entry of this Order.

Counsel for Defendant Cowser shall ensure her presence at the conference.

DATED this 12th day of November, 2019.



SAM E. HADDON
United States District Judge